

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6445

BILL NUMBER: SB 124

NOTE PREPARED: Mar 1, 2005

BILL AMENDED: Feb 24, 2005

SUBJECT: Credit Time for Pretrial Home Detention.

FIRST AUTHOR: Sen. Paul

FIRST SPONSOR: Rep. Hoffman

BILL STATUS: As Passed Senate

FUNDS AFFECTED: X **GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: (Amended) This bill permits a person serving pretrial home detention to earn credit time in Credit Class II. It makes conforming amendments.

Effective Date: July 1, 2005.

Explanation of State Expenditures: (Revised) Offenders who are in Credit Class II receive a one-day reduction in their sentence for each two days they serve. Depending on how extensively home detention is used as a condition of bail, this bill could reduce the length of stay that some offenders would spend in Department of Correction facilities.

No published statistics are available that show the number of offenders who were on pretrial home detention. When LSA contacted a series of counties about this question, six counties responded, representing 32% of the state population. Of these, three counties reported assigning defendants awaiting a felony trial to pretrial home detention.

Marion County reported the most extensive use. In CY 2003, of the 634 offenders on home detention as a condition of bail, 492 were felony offenders. The average length of time that these defendants stayed on home detention while awaiting trial during the three-month period between April and June of 2004, was 137 days. In addition to Marion County, both Randolph and Vanderburgh Counties reported assigning some felony defendants to pretrial home detention.

Explanation of State Revenues:

Explanation of Local Expenditures: Offenders on home detention generally pay for the costs associated with the program. The average daily cost for electronic monitoring is \$5.11.

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected: Counties with electronic monitoring.

Information Sources: *2002 Indiana Home Detention Report*, Judicial Conference of Indiana.

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